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Helping Lawyers Help Kids

Reaching Nonresident Fathers in the Child Welfare System: Understanding Male Help-Seeking Behaviors

by Mark S. Kiselica

As a lawyer or judge interacting with nonresident fathers in the child welfare system, you have an opportunity to help fathers play a meaningful role in their children's lives. This may involve helping fathers obtain and use services offered to them by child welfare caseworkers and other family service providers.¹ Some fathers may need help to be more trusting and open toward the legal and child welfare systems. Others will need to be encouraged to show interest in and have contact with their children and the professionals who serve them.

Helping these fathers to become more engaged requires understanding several factors that influence help-seeking behavior and service use by fathers. Understanding these factors and behaviors can help legal professionals discover fathers' strengths and recognize how men can be important assets in the lives of their children. Many fathers want to be a part of their children's lives and can be helped to do so through your advocacy and support.

Addressing Barriers to Male Engagement

The following discussion explores common barriers to child welfare system involvement and help-seeking by men and offers strategies to address them. Many of these tips relate to fostering a strong attorney-client relationship, but they also are about how the system can and should respond to fathers. It is part of the attorney's role to inform the child welfare system of these issues so that courts and agencies can better interact with fathers.

Individual barriers

Stressful life circumstances and practical barriers

Nonresident fathers are likely to be poor and struggling to survive tough life circumstances. Compared to fathers who reside with their children, nonresident fathers tend to:

- have greater financial problems;
- move more often;
- have more children;
- have greater difficulty finding child care for their children;
- experience more emotional problems; and
- have higher rates of drug and alcohol abuse, antisocial behavior, domestic violence, homelessness, and unemployment.²

About 40% of nonresident fathers involved in the child welfare system have four or more of these hardships.³ Responding to these problems can be so consuming that many fathers are too overwhelmed to participate in the child welfare system on behalf of their children,

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About this Series

The series gives attorneys and judges tools to better engage nonresident fathers in child welfare cases. Article topics include:

- ✓ Nonresident Fathers' Constitutional Rights (Nov. 08)
- ✓ Representing Nonresident Fathers (Dec. 08)
- ✓ **Understanding Male Help-Seeking Behavior (this issue)**
- o Involving Nonresident Fathers: Tips for Judges
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even when they would prefer to be involved.

Numerous practical barriers prevent fathers from getting involved with the child welfare system. Some are linked to institutional practices and others to the life circumstances discussed above. Most agencies and institutions associated with the child welfare system are open only during daylight hours on weekdays. For many fathers, these hours conflict with their work schedules, which are not negotiable. Getting to and from a child welfare office or court is an unpredictable endeavor for fathers who lack reliable transportation. Others cannot travel because they are incarcerated.⁴ Some don't even know they are fathers or the child's mother prevents them from establishing a relationship with the child. These barriers prevent many fathers from having any say in proceedings about their children.

Practice Tips: Recognize the father's life circumstances, perform outreach, and remove practical barriers.

- Because nonresident fathers struggle with many hardships, they may arrive late for appointments and miss some appointments altogether. Missing meetings does not necessarily mean that the father doesn't want help. Be patient and persistent.
- Call the father during non-work hours to discuss his difficulties in making meetings.
- Pay attention to any concerns he might want to discuss, not just those pertaining to legal proceedings, and then through interprofessional collaboration assist him with any problem he might have.
- Consult with his caseworker to see if assistance can be arranged, such as transportation vouchers or volunteer driving services.

- Ask your superiors about staffing your office on some evenings and weekends so your availability is not limited to times the father must work.
- Explain to the father that you can help him access services that he may need by consulting with his caseworker.
- With the father's permission, inform the caseworker about any nonlegal problems he might have, and ask if additional services, such as job placement and substance abuse counseling, can be provided when they are warranted.⁵

Fear of prosecution

Many fathers believe contact with the child welfare system will get them in trouble with the law—

- Fathers who are behind in their child support payments are often hesitant to advocate for their children, fearing that participating in child welfare proceedings will result in their being identified for arrearages that they may be unable to pay because they are destitute.⁶
- Some fathers avoid child welfare officials because they are undocumented immigrants concerned about possible deportation.
- Fathers with substance abuse histories worry that they could face criminal penalties associated with their illegal use and distribution of drugs.⁷
- Adult fathers whose former partners are still minors could be charged with statutory rape.⁸ Fathers with criminal histories who have committed no new crimes may have little trust of the legal system.
- Ex-offenders also may avoid professionals who ask too many questions because they associate frequent questioning with being interrogated by police investigators, prosecutors, and prison officials.⁹

Thus, fear of prosecution and the lingering effects of prior criminal justice system involvement can cause fathers to be guarded when dealing with the child welfare system.

Practice Tips: Explain your role in the child welfare system and who you represent.

- After you have established a rapport with the father, assure him that you do not work for his child's mother because he may have a conflicted, adversarial relationship with her.¹⁰
- Explain the child welfare system and your role in it, being careful not to overwhelm him with too much information. It can help to give him a diagram depicting the various components in the system and your role in it.
- Use simple language rather than technical terms or "legalese" while describing the child welfare system.¹¹
- Assure the father you are not there to prosecute him for any current or former offenses, and inform him about the limits of confidentiality. Give him plenty of time to absorb and react to this information.
- Empathize with and address fears he might have about his involvement with you, and respond to all of his questions, as well as any angry comments, in a concerned and nondefensive manner (e.g., don't take it personally if the father says that working with you is a waste of time because the system is unfair to fathers).
- Express your empathy for his distrust of the system, and assure him that you are going to do everything in your power to assist him. The most important message you can give him during this phase is that you will advocate for him to your fullest ability and you want to help him with his

most pressing concerns and needs.¹²

- Ask him about his own family as a potential placement option for his child or children, which conveys to him your advocacy for his extended family.¹³ Taking these measures will help dispel misconceptions he might have about child welfare proceedings, while allaying mistrust he might have about you.

Traditional notions of masculinity

The cultural demands of masculinity deter men who adhere to traditional gender roles from seeking help. Many tasks associated with help seeking, such as relying on others, admitting that one needs help, and presenting oneself as vulnerable, conflict with traditional concepts of what it means to be a man.¹⁴ Research links traditional male beliefs in men with their negative attitudes about getting assistance from others.¹⁵

Men who live up to cultural expectations by remaining stoic, completely self-reliant, and unbending in the face of adversity harm themselves through their decisions not to seek help when they are ill, in mental distress, or need crucial information that could enhance their lives. Yet men who fail to meet these expectations risk being judged harshly by other traditional men.¹⁶ Thus, fathers who come from a more traditional orientation resist turning to child welfare professionals for help, even though they may be in considerable distress about the situation with their children.

Practice Tips: Use the strengths of traditional masculinity, while addressing self-defeating beliefs about getting help.

- Discuss the father's beliefs about what it means to be a good man and father.
- Affirm those aspects of traditional masculinity that will enhance his

The Father Friendly Check-Up™ for Child Welfare Agencies and Organizations

The National Fatherhood Initiative's *Father Friendly Check-Up*™ helps organizations assess how well they welcome and encourage fathers in several areas—leadership, organizational philosophy, policies and procedures, programs, physical environment, staff orientation and training, social marketing strategies, and service to the community.

As part of the Quality Improvement Center on Non-Resident Fathers and the Child Welfare System, the National Fatherhood Initiative developed a version of the *Father Friendly Check-Up* specifically for child welfare agencies and organizations. This tool, available at www.fatherhoodqic.org, can help you understand what efforts the agency could be making for fathers, and spark ideas for changes you can make in your practice. For example, use the tool to find out whether your organization:³²

- Expects staff to include a father component in new staff orientation and training activities.
- Encourages fathers/men in their cases to balance work and family life.
- Expects staff to avoid using language that is divisive and that stereotypes men/fathers and women/mothers.
- Has family restrooms or a diaper deck in the men's restroom.
- Has staff who have been trained on how to work with fathers in a gender-responsive, nonaccusatory, nonblaming manner.
- Maintains lists of recommended resources for fathers (e.g., fatherhood classes and support groups).

performance as a father, such as his desire to protect his children, and his willingness to work hard, for long hours, and in difficult conditions to be a good provider.

- Point out that it takes guts to seek and accept help, and that it takes courage to deal with the child welfare system.
- Point out that every man needs help from time to time, and that you can help "cover his back" as he works with the system.
- Explore with him the problems that can occur if he decides to go it alone or to attack the system in an overly macho fashion.
- If he is a very traditional male, he is likely to set aside his strong need to address his problems on his own if he feels he is part of a team because traditional men are used to forming friendships and

completing tasks in groups. Invite him to form a team with you, suggesting that the two of you will tackle the issues that arise in his case together.¹⁷

- Explore with him his hopes and dreams for his children, and then explain how you can help him devise a plan for working with the child welfare system to help make those hopes and dreams a reality.¹⁸

Institutional and professional barriers

Institutional practices that devalue the role of fathers

For over a century, the child welfare system has been guided by the belief that mothers are crucial to child development, especially during a child's early years.¹⁹ Until recently, fathers were deemed relatively unimportant except for

their ability to provide economic support for their wives or partners and their children.²⁰ Consequently, child welfare professionals have focused on repairing and restoring mother-child relationships, while viewing fathers only in terms of their duties as providers of child support. Faced with this bias, fathers are understandably skeptical that the child welfare system will consider their interests. Like most people, fathers have great difficulty trusting and participating in systems in which they don't feel valued.

Practice Tips: Request in-service workshops on fathers' issues that promote awareness, knowledge, and skills.

- Encourage child welfare and court administrators to provide training about fathers and their needs. Workshops should cover: a) awareness-raising activities designed to help professionals examine their biases about fathers and explore how any personal issues with men might affect their work with fathers; b) information about the characteristics, hardships, and needs of fathers; and c) education about how to help fathers in a male-friendly manner.
- Since ethnic-minority populations are overrepresented among fathers whose children are in the child welfare system, diversity training is an essential part of continuing education workshops.

Advocate for father-supportive policies.

- Support or promote legislative or policy reforms that increase involvement of fathers in child welfare cases. These may include:

Right to Counsel: The right of fathers to court-appointed counsel should be expanded. It is important that fathers also receive legal assistance regarding child custody, visitation, and support issues that are interconnected

with their participating in the child welfare proceeding.²¹

Funding for Father-Service Programs: Society benefits from public policies that fund father-service programs that prepare and support fathers with their parenting duties and address any personal problems that prevents them from parenting successfully—homelessness, substance abuse, and re-entry into society after imprisonment.²²

Child Support Reform: Because child welfare fathers tend to be poor, they often have trouble paying child support. Child support enforcement policies must be flexible and geared toward a man's ability to pay, while providing him credit for other factors, such as number of contacts with his child, participation in parenting classes, enrollment and attendance in GED, college, and vocational education courses, and provision of in-kind support.²³ Another innovative policy change is linking child-support enforcement with workforce development, which would help more fathers become self-sufficient parents.²⁴ Child support obligations for fathers in prison should be frozen or reduced to cover only nominal wages earned while in prison.²⁵

Welfare Reform: "Pass-through" policies permit formal child support by low-income fathers to pass through to their families instead of being collected by the state to recoup the costs of public assistance paid to the custodial mother.²⁶ Implementing pass-through policies will likely increase the number of fathers declaring paternity and participating in the child support system, while fostering a standard of living that allows low-income fathers to meet their basic needs.

Pejorative stereotypes about fathers
Distrust of the child welfare system is also fueled by pejorative biases many professionals have about fathers. Stereotypes about fathers within this system are abundant. Fathers are often viewed by child welfare professionals as a threat, a liability, potentially violent even when they have no history of violence, potentially abusive toward children, uncooperative, recalcitrant, unable to take responsibility, and uncommitted to family life.²⁷

Although these characterizations are accurate for some, many want to be stable, loving fathers for their children. Fathers who sense these derogatory attitudes about them during their initial encounters with the child welfare system are unlikely to cooperate.

Practice Tips: Address any negative biases about fathers.

- Recognize that fathers are complex. Although some fit the stereotype of the man who is unconcerned about his children, many others care deeply about their children's well-being and have the capacity to be outstanding fathers.
- Maintain an open mind and a positive perspective with each new father you meet.
- Look for and affirm fathers who want to be a constructive presence in their children's lives.²⁸

Female orientation of the child welfare system

Fathers can feel uncomfortable in the child welfare environment because of its strong female orientation. Over 80% of the caseworkers employed in the child welfare system are women.²⁹ These professionals, though dedicated and well intentioned, are sometimes uneasy or afraid to work with fathers. Many female caseworkers can empathize with their women clients, but have difficulty relating to fathers, especially those who are hostile and

angry toward the system. Some caseworkers use rapport building and interventions that work well with women but not men. For example, although sitting face to face, asking open-ended questions, and focusing discussions to disclose emotions tend to be effective with women clients, they are ill-suited for work with many men. Males who adhere to traditional notions of masculinity prefer side-by-side conversations focused on information and advice-giving and active problem-solving.³⁰

Due to the strong female orientation of the child welfare system, fathers may feel the entire system lacks a male perspective on how to approach and resolve problems.

Practice Tips: Learn and practice male-friendly rapport-building tactics.

- Although your work with fathers involves serious legal matters, try to make your early conversations warm, friendly, and informal.
- If possible, have all phone calls held until your session with the father is over, which lets you give him your undivided attention while communicating that his concerns are your priority.
- Greet him with a firm handshake and a reassuring smile.
- Offer him a soft drink or a snack to help him relax.
- Sit or take a walk with him side-by-side, rather than face-to-face, as you get to know him.
- Share a little bit about your own life and background.
- Ask him about his work and interests and respond positively.
- Be knowledgeable about and prepared to discuss important events in his community.
- If appropriate, use slang that is common in the community, and ask him to explain any local expressions you might not understand.

- Try infusing a joke into your conversations with him from time to time, which is a common tactic men use with each other to diffuse tension³¹ (e.g., make a humorous, self-deprecating comment about yourself or engage him in some good-natured ribbing to loosen him up).

Conclusion

For most men, being a loving, competent father is one of their most important roles. Many barriers prevent nonresident fathers whose children have been placed in the child welfare system from fulfilling this role. Legal professionals who understand the complicated hardships of these men, engage them in a male-friendly way, and advocate on their behalf are likely to help them be responsible, caring participants in their children's lives. When that is not possible, these strategies can also help to identify the father's extended family members, who could play a meaningful role for the child in the father's absence.

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Endnotes

¹Other service providers may include local job placement programs, fatherhood programs and GED programs, among others. Malm, K., J.

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